

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LEEWARD CONSTRUCTION COMPANY,
LTD.,

Petitioner,

v.

AMERICAN UNIVERSITY OF ANTIGUA –
COLLEGE OF MEDICINE and MANIPAL
EDUCATION AMERICAS, LLC f/k/a GCLR,
LLC,

Respondents.

USDS SDNY
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ELECTRONICALLY FILED
DOC #:
DATE FILED: 6/28/13

Case No. 1:12-CV-06280-LAK/GWG
(ECF CASE)

Honorable Lewis A. Kaplan
United States District Judge

**ORDER TO SHOW CAUSE FOR A
STAY OF JUDGMENT
ENFORCEMENT PROCEEDINGS**

Upon the annexed declarations of Leonard Sclafani, sworn to on June 27, 2013, and Jonathan S. Jemison, sworn to on June 28, 2013, the accompanying Memorandum of Law, the pleadings, and all prior proceedings herein, it is hereby

ORDERED that plaintiff Leeward Construction Company, Ltd. ("Petitioner") SHOW CAUSE before the Honorable Lewis A. Kaplan, United States District Judge, in Courtroom 21B of the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, at 4:00 ~~am~~ p.m. on July 22, 2013, or as soon thereafter as counsel may be heard, why an order should not be entered:

(i) Pursuant to *Fed. R. Civ. P.* 60(b)(6), 62, and/or this Court's inherent powers, staying execution of the Correct Amended Judgment entered in this action on June 11, 2013 (the "Corrected Amended Judgment") pending final resolution and confirmation of an arbitration currently pending between the parties before the American Arbitration Association International Center for Dispute Resolution, under case number 50 110 T 00118 13, in accordance with the

Stay Agreement entered into by and between the parties as of May 8, 2013, a copy of which is attached as Exhibit 1 to the June 27, 2013 Declaration of Leonard Sclafani; and

(ii) Granting such other and further relief as to the Court may seem just and proper.

And it is further ORDERED that, pursuant to *Fed. R. Civ. P.* 60(b)(6), 62 and/or this Court's inherent power, ^{and on consent,} pending the hearing and determination of the respondents American University of Antigua – College of Medicine's ("AUA") application, execution of the Corrected Amended Judgment is hereby stayed. ^{pending}

^{Service of} The Respondents shall serve a copy of this order, and the papers upon which it was granted, on Petitioner ^{was acknowledged in open court.} on or before _____, 2013 by dispatching a copy by Federal

~~Express, or a comparable courier service, to Attorneys for Petitioner, Lewis & Greer, P.C., 510 Haight Avenue, Suite 202, Poughkeepsie, New York 12603.~~

^{and file} Petitioner shall serve opposition papers, if any, on counsel for Respondents on or before ^{July 15}, 2013 ~~either by hand or by Federal Express, or a comparable courier service.~~

^{and file} Respondents shall serve reply papers, if any, on Attorneys for Petitioner, Lewis & Greer, P.C., 510 Haight Avenue, Suite 202, Poughkeepsie, New York 12603, on or before ^{July 18}, 2013 ~~either by hand or by sending a copy by Federal Express, or a comparable courier service to the addresses listed above or to counsel of record.~~


HON. _____, U.S.D.J.

Dated: June 28, 2013

Wined at 4:55 pm

